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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/526,182	03/01/2005	Mark Thomas Johnson	NL 020838	7051
24737	7590	06/01/2007	EXAMINER	
PHILIPS INTELLECTUAL PROPERTY & STANDARDS			JOSEPH, DENNIS P	
P.O. BOX 3001			ART UNIT	PAPER NUMBER
BRIARCLIFF MANOR, NY 10510			2629	
MAIL DATE		DELIVERY MODE		
06/01/2007		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/526,182	JOHNSON ET AL.	
Examiner	Art Unit		
Dennis P. Joseph	2629		

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Statys

1) Responsive to communication(s) filed on 3/1/2005.

2a) This action is **FINAL**. 2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) Claim(s) 1-8 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) Claim(s) _____ is/are allowed.

6) Claim(s) 1-8 is/are rejected.

7) Claim(s) _____ is/are objected to.

8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on 01 March 2005 is/are: a) accepted or b) objected to by the Examiner.

 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) All b) Some * c) None of:
1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. 10/526,182.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) Notice of References Cited (PTO-89)

2) Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 5/30/2006

4) Interview Summary (PTO-413)

Interview Summary (P10-416)
Paper No(s)/Mail Date. _____

5) Notice of Informal Patent Application

6) Other:

DETAILED ACTION

1. This Office Action is responsive to application No. 10/526,182 on March 1, 2005. Claims 1-8 are pending and have been examined.

Priority

2. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Claim Rejections – 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 4 and 5 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 4 recites therein, “two voltage signals (VBA, VBB)” and then “plurality of different voltage levels (VBi)”. Further along in the claim, it states that the control signal determines “two voltage signals (VB1, VB2)”. The limitation is indefinite with regards to that VB1 and VB2 are levels of a signal, not the actual signal itself. It is unclear as to which voltage type is being applied. Appropriate correction is required.

For purposes of examination, the limitation will be interpreted as the control signal determining at two voltage signals (VBA, VBB) which are supplied to the pixels.

Similar issues with Claim 5. Appropriate correction is required.

Claim Rejections – 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. **Claims 1-5, 7 and 8 rejected under 35 U.S.C. 102(b) as being anticipated by Shieh et al. (5,748,160)**

7. Shieh teaches in Claim 1:

An active matrix display (Column 2, Lines 55-57, “Further, light emitting diode 10, and each other diode in the matrix has a semiconductor switch 12 attached thereto, making the matrix an active matrix”) comprising

a matrix of display pixels being associated with intersections of crossing select electrodes and control electrodes (Column 3, Lines 39-45, “As is understood in the art, a scan signal is applied to each row for a sufficient time to allow all of the data drivers to be activated so that

each pixel in the row being scanned is addressed. A scan signal is then applied to the next row and all of the data drivers are activated, etc. Therefore, each pixel in the matrix is addressed with a scan and data signal by the combination of data drivers **25** and shift register **27**." From Figure 3, the control electrodes are from the data driver **55** and the select electrodes are from the shift register scan driver **57**.) ,

a select driver for supplying select signals (SE) to the select electrodes (Figure 3, the shift register scan driver **57** sends the select electrodes)

a control driver for supplying control signals (DA) to the control electrodes (Figure 3, the data driver **55** supplies the data signals.),

a voltage level generator for generating a plurality of different voltage levels (VBi) (Figure 3 shows the voltage source **60** with terminals V_R , V_G , and V_B), and select circuits (Figure 3, switch **42**), each being coupled between an associated one of the display pixels and the voltage level generator for supplying a selected one of said plurality of different voltage levels (VBi) (Figure 5 shows the multi-step voltage waveforms for each of RGB) via at least one voltage level electrode (Figure 3 shows three voltage electrodes for each of the sub-pixels **45**, **46** and **47**) to the associated one of the display pixels in dependence on both the select signals (SE) indicating whether the associated one of the pixels is selected and the control signals (DA) indicating which one of said plurality of different voltage levels (VBi) has to be supplied to the associated one of the pixels. (Column 6, Lines 7-12, "In the multi-step voltage waveform of FIG. 5, one complete frame is illustrated. Each frame is divided into three subframes V_r , V_g , and V_b and each subframe is divided into m multi-steps of voltage or sub-subframes. As described previously, the multi-step subframe V_r is applied to the V_r output of

voltage source 60 and the entire **matrix** is addressed for each of the m steps. This procedure is continued until all m of the sub-subframes are completed, completing a subframe." The matrix setup uses information from both the select and control electrodes.)

8. Shieh teaches in Claim 2:

An active matrix display (Column 2, Lines 55-57, "Further, light emitting diode **10**, and each other diode in the matrix has a semiconductor switch **12** attached thereto, making the matrix an active matrix") as claimed in claim 1, characterized in that said voltage level generator (Figure 3, voltage source **60**) is adapted for supplying the plurality of different voltage levels (VBi) as a single voltage signal (VB) having different levels occurring successively in time during select periods (TS) (Figure 5 shows the multi-step waveform which is a signal voltage signal with a plurality of different voltage levels), and in that the select driver is adapted for selecting the associated one of the pixels during each of the select periods (TS) (Column 4, Lines 53-55, "In the structure of FIG. 3, for purposes of this explanation, a shift register **57** is provided to supply the scan signals."), the control signal (DA) determining whether a particular one of the plurality of different voltage levels (VBi) is supplied to the associated one of the pixels. (Figure 3 shows the data driver which is responsible for this input and is sent to the sub-pixels **45-47**.)

9. Shieh teaches in Claim 3:

An active matrix display (Column 2, Lines 55-57, "Further, light emitting diode **10**, and each other diode in the matrix has a semiconductor switch **12** attached thereto, making the matrix

an active matrix") as claimed in claim 2, characterized in that the select circuits (Figure 3, **42**) each comprise

a single drive switch having a main current path coupled between the associated one of the pixels and a single voltage level electrode carrying the single voltage signal (VB) (Figure 3 shows the drive transistor **43**), and

a single select switch (Figure 3, **50**) having a main current path being arranged between one of the control electrodes and a control input of said single drive switch, and having a control input coupled to one of the select electrodes. (Column 4, Lines 23-25, "Switch **42** further includes a second transistor **50** having a current carrying terminal **51** connected to a gate or control terminal **52** of transistor **43**." The select transistor conveys the current to the drive transistor of the sub-pixels.)

10. Shieh teaches in Claim 4:

An active matrix display (Column 2, Lines 55-57, "Further, light emitting diode **10**, and each other diode in the matrix has a semiconductor switch **12** attached thereto, making the matrix an active matrix") as claimed in claim 1, characterized in that said voltage level generator is adapted for supplying at least two voltage signals (VBA, VBB) each comprising at least one of the plurality of different voltage levels (VBi) (Figure 5 shows the multi-step waveform with at least two voltage signals and these are applied from voltage source **60**), and in that the select driver is adapted for selecting the associated one of the pixels during each select period (TS) (Column 4, Lines 53-55, "In the structure of FIG. 3, for purposes of this explanation, a shift register **57** is provided to supply the scan signals."), the control signal (DA) determining

whether one of the at least two voltage signals (VB1, VB2) is supplied to the associated one of the pixels. (Figure 3 shows the data driver which is responsible for this input.)

11. Shieh teaches in Claim 5:

An active matrix display (Column 2, Lines 55-57, "Further, light emitting diode 10, and each other diode in the matrix has a semiconductor switch 12 attached thereto, making the matrix an active matrix") as claimed in claim 4, characterized in that said matrix display comprises at least two voltage level electrodes, each for carrying one of the at least two voltage signals (VB1, VB2) (Figure 3 shows the sub-pixels 45-47 which have voltages across them),

the select driver (Figure 3, shift register scan 57) comprises a plurality of drive switches, each having a main current path coupled between the associated one of the pixels and one of the at least two voltage level electrodes (Figure 3 shows the drive transistor 43. This is a matrix setup and is a simplified diagram showing one pixel), and

a plurality of select switches (Figure 3, 50), each being coupled between a same one of the select electrodes and an associated control input of one of the at least two drive switches (Column 4, Lines 23-25, "Switch 42 further includes a second transistor 50 having a current carrying terminal 51 connected to a gate or control terminal 52 of transistor 43." The select transistor conveys the current to the drive transistor of the sub-pixels.), and

in that the control driver is adapted for supplying the control signals (DA) via at least two of the control electrodes to associated control inputs of the plurality of select switches. (Figure 3 shows the data driver which is responsible for this input and is sent to the sub-pixels 45-47.)

12. Shieh teaches in Claim 7:

A method of driving an active matrix display comprising a matrix of display pixels being associated with intersections of crossing select electrodes and control electrodes (Column 2, Lines 55-57, "Further, light emitting diode **10**, and each other diode in the matrix has a semiconductor switch **12** attached thereto, making the matrix an active matrix"), the method comprising

supplying a select signal (SE) to the select electrodes (Figure 3, the shift register scan driver **57** sends the select electrodes),

supplying a control signal (DA) to the control electrodes (Figure 3, the data driver **55** supplies the data signals.),

generating a plurality of different voltage levels (VBi) (Figure 5 shows the multi-step voltage waveforms for each of RGB), and supplying a selected one of said plurality of different voltage levels (VBi) via at least one voltage level electrode to an associated one of the display pixels (Figure 3 shows three voltage electrodes for each of the sub-pixels **45**, **46** and **47**) in dependence on both the select signal (SE) indicating whether the associated one of the pixels is selected and the control signal (DA) indicating which one of said plurality of different voltage levels (VBi) has to be supplied to the associated one of the pixels. (Column 6, Lines 7-12, "In the multi-step voltage waveform of FIG. 5, one complete frame is illustrated. Each frame is divided into three subframes V_r, V_g, and V_b and each subframe is divided into m multi-steps of voltage or sub-subframes. As described previously, the multi-step subframe V_r is applied to the V_r output of voltage source 60 and the entire **matrix** is addressed for each of the m steps. This

procedure is continued until all m of the sub-subframes are completed, completing a subframe.”

The matrix setup uses information from both the select and control electrodes.)

13. Shieh teaches in Claim 8:

A display apparatus with an active matrix display (Column 2, Lines 55-57, “Further, light emitting diode 10, and each other diode in the matrix has a semiconductor switch 12 attached thereto, making the matrix an active matrix”) comprising

 a matrix of display pixels being associated with intersections of crossing select electrodes and control electrodes (Figure 3 shows the setup for one pixel in a matrix),

 a signal processing circuit for receiving an input display signal (VI) and for supplying a first control signal (CC), a second control signal (CS), and a third control signal (CG) (Figure 3 shows the timing circuit 65 which sends signals to the data driver 55, the shift register scan 57 and the voltage source 60),

 a select driver for supplying select signals (SE) to the select electrodes under control of the first control signal (CS) (Figure 3, the shift register scan driver 57 sends the select electrodes),

 a control driver for supplying control signals (DA) to the control electrodes under control of the second control signal (CC) (Figure 3, the data driver 55 supplies the data signals.),

 a voltage level generator for generating a plurality of different voltage levels (VBi) under control of the third control signal (CG) (Figure 3 shows the voltage source 60 with terminals VR, VG, and VB),

select circuits (Figure 3, switch 42), each being coupled between an associated one of the display pixels and the voltage level generator, for supplying a selected one of said plurality of different voltage levels (VBi) (Figure 5 shows the multi-step voltage waveforms for each of RGB) to the associated one of the display pixels in dependence on both the select signals (SE) indicating whether the associated one of the pixels is selected and the control signals (DA) indicating which one of said plurality of different voltage levels (VBi) has to be supplied to the associated one of the pixels. (Column 6, Lines 7-12, "In the multi-step voltage waveform of FIG. 5, one complete frame is illustrated. Each frame is divided into three subframes Vr, Vg, and Vb and each subframe is divided into m multi-steps of voltage or sub-subframes. As described previously, the multi-step subframe Vr is applied to the Vr output of voltage source 60 and the entire **matrix** is addressed for each of the m steps. This procedure is continued until all m of the sub-subframes are completed, completing a subframe." The matrix setup uses information from both the select and control electrodes.)

Claim Rejections – 35 USC § 103

14. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 103(a) that forms the basis for the rejections under this section made in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.

Art Unit: 2629

2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

15. **Claim 6** rejected under 35 U.S.C. 103(a) as being unpatentable over **Shieh et al. (5,748,160)** in view of **Katase (US 6,762,744 B2)**

16. Shieh teaches in Claim 6:

An active matrix display (Column 2, Lines 55-57, “Further, light emitting diode 10, and each other diode in the matrix has a semiconductor switch 12 attached thereto, making the matrix an active matrix”) as claimed in claim 1, but

Shieh does not explicitly teach that the display is “characterized in that the pixels comprise electrophoretic material.”

However, in the same field of endeavor, display devices, Katase teaches “As stated above, the object of the present invention is to provide an **active matrix electrophoretic display**. Also provided is a drive circuit integral to the device, and a method for driving the display by using the circuit.” (Column 1, Lines 40-43)

Therefore, it would have been obvious to a person with ordinary skill in the art at the time of the invention to integrate the use of an electrophoretic display as taught by Katase with Shieh’s display driving method with the motivation that “prior art electrophoretic displays suffer from a

problem in that they afford poor viewing characteristics. The present invention has been made to overcome this problem, and provides for the first time an active matrix electrophoretic display, which display has superior viewing characteristics. (Column 1, Lines 31-35)

Conclusions

17. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dennis P. Joseph whose telephone number is 571-270-1459. The examiner can normally be reached on Monday-Friday, 8am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Amr Awad can be reached on 571-272-7764. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

DJ

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